



The Regular Meeting of the  
**Brian Head Town Council**  
Town Hall Council Chambers  
56 N. Hwy 143, Brian Head, UT 84719  
**TUESDAY, MARCH 22, 2011 @ 1:00 PM**  
**AGENDA**

**1:00 PM**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. DISCLOSURES**

**D. APPROVAL OF THE MINUTES:**

1. February 22, 2011 Town Council Meeting

2. March 08, 2011 Town Council Meeting

**E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**

1. **PRESENTATION OF CMC CERTIFICATION TO NANCY LEIGH, TOWN CLERK**

(Certified Municipal Clerk) Utah Municipal Clerks Association

**F. AGENDA TOPICS:**

1. **BID AWARD FOR THE BEARFLAT WELL DRILLING.** Tom Stratton, Public Works Director. The Council will award the well drilling contract for the Bearflat Well. This is a USDA project for water system improvements.

2. **USDA PARTIAL PAY REQUEST FOR FEBRUARY, 2011.** Tom Stratton, Public Works Director. The Council will approve the USDA partial pay requests for February, 2011 for water system improvements.

3. **AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR WATER RIGHT SUBLEASE FOR WATER RIGHT NO. 75-55 – 400 ACRE FEET OF WATER LOCATED IN THE PAROWAN VALLEY.** Bryce Haderlie, Town Manager. The Council will consider a request to advertise for proposals for water rights sublease for 400 acre feet in the Parowan Valley. Water rights are owned by the Brian Head Special Service District.

4. **BRIAN HEAD TREE COMMISSION MEMBER APPOINTMENT AND ADOPTION OF ARBOR DAY PROCLAMATION.** Cecilia Johnson, Town Treasurer. The Council will appoint the committee members for the Brian Head Tree Commission and adopt a Proclamation claiming May \_\_\_\_ as Arbor Day for Brian Head Town.

5. **PUBLIC SAFETY BUILDING SURVEY DISCUSSION.** Bryce Haderlie, Town Manager. The Council will hold a discussion on a proposed public survey for the public safety building project.

6. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD AUTHORIZING THE MUNICIPAL BUILDING AUTHORITY OF THE TOWN OF BRIAN HEAD, UTAH TO ISSUE NOT MORE THAN \$2,700,000 IN LEASE REVENUE BONDS, SERIES 2011 FOR A PUBLIC SAFETY FACILITY AND RELATED MATTERS.** Bryce Haderlie, Town Manager. The Council will consider a proposed lease revenue bond resolution authorizing the Brian Head Municipal Building Authority to issue not more than \$2,700,000 for the public safety building.

7. **REQUEST FOR PROPOSALS DISCUSSION AND APPROVAL FOR THE ARCHITECTS and/or DESIGN BUILD PROCESS TO BEGIN FOR THE PUBLIC SAFETY BUILDING.** Bryce Haderlie, Town Manager. The Council will consider the approval for the Request for Proposal to start the advertising for Architects for the Public Safety Building project.

8. **TOWN COUNCIL MEETING PROCEDURE POLICY DISCUSSION.** Nancy Leigh, Town Clerk/Recorder. The Council will hold discussion on a proposed policy for Town Council meetings.

9. **SOCIAL MEDIA POLICY DISCUSSION.** Nancy Leigh, Town Clerk/Recorder. The Council will hold a discussion on a proposed Social Media Policy for the Town of Brian Head.

10. **ECONOMIC DEVELOPMENT PLAN DISCUSSION.** Bryce Haderlie, Town Manager. The Council will hold a discussion on a proposed Economic Development Plan for the Town of Brian Head.

**G. CLOSED SESSION OF THE TOWN COUNCIL – To discuss the character, professional competence, or physical or mental health of an individual**

**H. ADJOURNMENT**

**Dated the 18<sup>th</sup> Day of March, 2011**

Available to Board Members as per Resolution No. 347 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

**CERTIFICATE OF POSTING**

I hereby certify that I have posted copies of this agenda in three public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall, Post Office and The Mall on this 18<sup>th</sup> day of March 2011 and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk

**The Regular Meeting of the  
Brian Head Town Council  
Town Hall Council Chambers  
56 N. Hwy 143, Brian Head, UT 84719  
TUESDAY, MARCH 22, 2011 @ 1:00 PM**

**Roll Call.**

**Members Present:** H.C. Deutschlander, Stewart Fausett, Hans Schwob, Jim Ortler, Linda Ames.

**Staff Present:** Bryce Haderlie, Nancy Leigh, Cecilia Johnson, Chris Leigh, Gary Bulloch, Dan Guymon

**A. CALL TO ORDER**

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 p.m.

**B. PLEDGE OF ALLEGIANCE**

Mayor Deutschlander led the Council and others in the Pledge of Allegiance.

**C. DISCLOSURES**

There were no conflicts of interest with today's agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Recorder's office and are available for public inspection during normal business hours.

**D. APPROVAL OF THE MINUTES:**

**1. February 22, 2011 Town Council Meeting**

**Motion:** Council Member Ortler moved to approve the February 22, 2011 Town Council minutes as presented. Council Member Schwob seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

**2. March 08, 2011 Town Council Meeting**

**Motion:** Council Member Ortler moved to approve the March 8, 2011 Town Council minutes as presented. Council Member Schwob seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

**E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**

**Council Member Ortler**

1. The town's efforts to resolve the double taxation issue related to the Brian Head Retail Business License Enhanced Fee appears to be successful. Legislation has passed the bill and has been sent to the Governor for signature. If the bill is not vetoed by March 31, 2011, the bill becomes effective July 1, 2011.
2. Updated the Council on House Bill 477, which has recently received a lot of public attention from the media due to the GRAMA laws and text messaging.

**Mayor Deutschlander**

1. Updated the Council on a recent Water User Conference in St. George held the first week of March. Mayor Deutschlander gave some interesting facts regarding Utah, one such fact Utah is the second most arid state in the nation behind Nevada.
2. Received a letter from Senator Hatch regarding a balance budget amendment. Senator Hatch is requesting input from the public on what possible areas that could be cut or eliminated. Those interested in responding may contact Senator Hatch's office.

**Bryce Haderlie, Town Manager**

1. On March 11, 2011, the staff and Mayor met with the Community Impact Board (CIB) on a possible grant/loan for the public safety building. The CIB granted a low interest loan at 2.5% for 30 years for a \$2,553,000 loan.

- 1 The town requested \$800,000 in grant funding, but due to Iron County not being a mineral producing county, the
- 2 board did not approve any grant funding on the project.
- 3 2. The town held an open house on the public safety building project on March 15 and March 19, 2011. The purpose
- 4 of the open house was to inform the public on the public safety building project and to answer questions and/or
- 5 concerns the public may have on the proposed project. One person attended on the 15<sup>th</sup> and two people on the
- 6 19<sup>th</sup>. The invitation is still open to the public who is seeking information on the project.
- 7 3. Staff has now created a fan page on "Facebook" and is also utilizing "Twitter". Information such as road
- 8 conditions and current pictures of Brian Head is sent out on a daily basis to the public.
- 9 4. Thanked Cecilia Johnson, Town Treasurer, and Alice Rogers, Receptionist, on the first publication of the town's
- 10 newsletter which will be published on a quarterly basis. The newsletter is also available on the town's website.
- 11 Staff is encouraging the public to contribute to the newsletter.
- 12 5. Attended a Community Impact Board (CIB) meeting on March 21, 2011 in Cedar City. The topic of discussion
- 13 was prioritizing a list of projects in Iron County for grant/loan funding. Bryce then updated the Council on the list
- 14 of projects the CIB approved for funding in Iron County.
- 15 6. Informed the Council on the efforts of the Public Safety officers last weekend during a snow storm in which
- 16 several vehicles were stuck in snow banks in the Cedar Breaks National Monument area for several hours.
- 17

18 **Gary Bulloch, Public Safety Director**

- 19 1. On April 6, 2011 a Cedar Ranger Fire District will hold a meeting in Cedar City at 6:00 p.m. The Forest Service
- 20 is working with the fire district partners to work on a wildland fire plan for the area. The public is invited to
- 21 attend the meeting.
- 22 2. Brian Head Fire Department will be hosting a wildland fire refresher for Brian Head, Parowan and Paragonah's
- 23 fire departments.
- 24

25 **Cecilia Johnson, Town Treasurer,**

- 26 1. Updated the Council on the delinquent property taxes the town has recently received. Cecilia reported that the
- 27 White Bear Condos along with the town purchased lots in Steam Engine Meadows SID have paid their delinquent
- 28 property taxes.
- 29 2. Council Member Ortler inquired if there will be any more property taxes collected for the current year. Cecilia
- 30 responded that after November 30, 2011, all property taxes received will be identified as delinquent property
- 31 taxes.
- 32 3. Cecilia updated the Council on the personal property taxes in which the deadline date for payment has been
- 33 changed from March to May.
- 34 4. The Council raised some questions regarding the expenditures in the budget earlier and she has completed some
- 35 research on the questions raised. One question raised was the expenditures exceeding their budget line and/or
- 36 percentage for the year. Cecilia explained that staff has been implemented the new Chart of Accounts approved
- 37 by Council during the 2010-2011 budget retreat. Another question was an overruns in other lines in which there
- 38 were unforeseen expenditures for equipment repair; the February 2, 2011 freeze, in which the fire station had
- 39 frozen the water lines causing them to break and damaging the building; along with the purchase of new shop
- 40 garage doors at a cost of \$10,000.00.
- 41 5. Council Member Ortler inquired as to the allocation of funds to the Capital Projects from the Enterprise Funds for
- 42 any excesses that should be reimbursed back into the Enterprise Fund. One such transfer was the town hall
- 43 parking lot project which came under budget. Cecilia reported she will follow-up and transfer the unused portion
- 44 back into the enterprise fund from which it came from.
- 45

46 **1. UTAH PATCHWORK PARKWAY PRESENTATION – Nancy Dalton**

47  
48 Mayor Deutschlander introduced Nancy Dalton, Executive Director of the Utah Patchwork parkway. Ms. Dalton presented  
49 the 2010 annual report to the Council (see attached). Ms. Dalton reported on the following accomplishments of the  
50 committee:

- 51 1. A brief history of the creation of the committee in establishing the scenic byway route from Parowan to
- 52 Panguitch.
- 53 2. The committee received the National Scenic Byway Designation in 2009 in which the committee benefited by free
- 54 marking materials for the public (see attached).
- 55 3. In April 2010, the committee submitted a grant application for matching grant funds for an interpretative master
- 56 plan and sign implementation. Ms. Dalton reported that Brian Head has been identified for a higher matching
- 57 portion due to the four (4) trail head signs to be identified in Brian Head. The grant is pending at this time, but
- 58 they have been approved for the transportation fund which is available through September 30, 2011.

4. The first year budget is identified for \$4,500.00 which does not include staff support. Ms. Dalton explained that she is a volunteer for the committee. The committee is looking to generate income by creating entry way signs in Parowan and Panguitch and to encourage new events to the cities/towns. One event identified for January will be the Quilt Walk Festival in Panguitch.
5. Council Member Ortler suggested the Quilt Walk Festival be rescheduled to another date in order to avoid a conflict with Brian Head's events also held in January. Ms. Dalton explained that she will forward Council Member Ortler's suggestion.

The Council thanked Ms. Dalton for her presentation on the Utah Patchwork Parkway.

## **2. PRESENTATION OF CMC CERTIFICATION TO NANCY LEIGH, TOWN CLERK**

(Certified Municipal Clerk) Utah Municipal Clerks Association

Fenn Kofed, Utah Municipal Clerk Association (UMCA), explained she is here on behalf of the Utah Municipal Clerks Association to recognize Nancy Leigh on obtaining her Certified Municipal Clerk designation. Ms. Kofed reported there are 337 active members in the State of Utah, in which only 56 Clerks have received their Certified Municipal Clerk (CMC) Designation and only 30 members have become a Master Municipal Clerk (MMC). Ms. Kofed gave a brief history of the UMCA and the International Institute of Municipal Clerk (IIMC) in which the Clerks attend University of Utah courses in order to earn points towards their certification. Ms. Kofed then presented Nancy with her Certified Municipal Clerk plaque.

The Council thanked Ms. Kofed for her presentation and congratulated Nancy on her achievement.

## **F. AGENDA TOPICS:**

1. **BID AWARD FOR THE BEARFLAT WELL DRILLING.** The Council will award the well drilling contract for the Bearflat Well. This is a USDA project for water system improvements.

Chet Hovey, Town Engineer, explained that the town has received three bids for the Bearflat well drilling project. Chet reported the bid includes two bids from each bidder for a 16" and 12" well casing as requested by the Council. Chet then presented the bid tabulation to the Council for their review and consideration (see attached).

Chet recommended the Council award the Bearflat well drilling project to Grimshaw Drilling and requested the Council identify which size well line they are approving, the 12" or 16" well casing.

**Motion:** Council Member Ortler moved to award the contract for the Bearflat well drilling project for the 16" line to Grimshaw Drilling in an amount not to exceed \$634,275.00. Council Member Fausett seconded the motion.

Discussion was held regarding the other bids received. Chet explained that approximately a \$2,000.00 difference with the 12" well casing and USDA requirement to award the contract to the lowest bidder. Council Member Ames inquired if there was a contingency in place if water is not located in the spot identified. Chet explained that the town is not guaranteed to hit water and would have to keep looking for water until they find water. The town has completed a geotechnical study for the best chance at hitting water at the least amount of cost.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).**

2. **USDA PARTIAL PAY REQUEST FOR FEBRUARY, 2011.** The USDA partial pay requests for February, 2011 for water system improvements.

Chet Hovey, Town Engineer, presented the following USDA partial pay requests for February, 2011 (see attached):

1. **Change Order for the Mammoth Tank Project Contractors PPE #6** identifies an amount that decreases the contract price by \$66.00 due to two feet (2') of pipe that was not installed and also extends the contract to March 31, 2011.

**Motion:** Council Member Schwob moved to approve the Mammoth Tank Change Order #6 extending the date of the contract to March 31, 2011 and a rebate of \$66.00. Council Member Fausett seconded the motion.

Discussion was held regarding the close out of the contractor's contract for the Mammoth tank project and pending road repairs that still need to be completed. Chet explained that this will close out the contractor's end of the contract, but that the town will continue to repair the maintenance road to the tank. The town is eligible to submit to USDA for reimbursement since the town's equipment fee schedule has been approved by USDA.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).**

**Construction for Contractor Dale Cox, Partial Pay Request #10** in the amount of \$124,298.83 (see attached). Chet explained that staff will be creating a final punch list after the one year period has expired. The maintenance road was not included in the contract price and will not be included in contractor's contract.

**Motion:** Council Member Schwob moved to approve the Mammoth Tank Contractor's partial pay request #10 in the amount of \$124,298.83. Council Member Fausett seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).**

**Administration Partial Pay Request #18** in the amount of \$15,767.90 (see attached).

**Motion:** Council Member Schwob moved to approve the Administration Partial Pay Request #18 in the amount of \$15,767.90. Council Member Ames seconded the motion.

**Action:** Motion carried 5-0-0 (**summary:** Yes = 5 **Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

Council Member Ortler inquired as to the Administration partial pay request #2, in which the payment was delayed due to a paperwork issue with USDA. Chet explained that staff has met with USDA and has received a verbal approval, but is waiting for a written authorization. Staff will follow-up and report back to the Council at a later date.

**3. AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR WATER RIGHT SUBLEASE FOR WATER RIGHT NO. 75-55 – 400 ACRE FEET OF WATER LOCATED IN THE PAROWAN VALLEY.** A request to advertise for proposals for water rights sublease for 400 acre feet in the Parowan Valley. Water rights are owned by the Brian Head Special Service District.

Bryce Haderlie, Town Manager, requested the approval of the Council to sublease 400 acre feet of water the Special Service District owns in the Parowan valley. Bryce explained the Special Service District (SSD) currently leases the water to the town and the town has the option to sublease the water. Bryce explained that an individual has approached to the town who is interested in subleasing the water.

Discussion was held regarding the SSD's change application with the State Engineer. Staff will verify with legal on the specifics for the advertisement to lease the water and whether it could be a multi-year lease.

Burke Wilkerson, Brian Head Resort, explained that if the town has a change application submitted, there is an option to have a temporary sublease also in effect.

**Consensus of the Council:** Staff will verify the status of the change application and verify with legal on the options for a multi-year sublease. Staff will advertise the water lease in the newspaper and will report back to Council.

**4. BRIAN HEAD TREE COMMISSION MEMBER APPOINTMENT AND ADOPTION OF ARBOR DAY PROCLAMATION.** Appointment of the Tree Commission members and the adoption of the Arbor Day Proclamation.

Cecilia Johnson, Town Treasurer, reported that the Brian Head Tree Commission has been created and is requesting the council to appoint members to commission and also adopt an Arbor Day Proclamation. By completing these two items, the Commission would be eligible for a tree grant of \$600.00. Cecilia recommended the following people to the Brian Head Tree Commission: Mayor Deutschlander, Betty Phelan, Planning Commission; Tom Gurr, Public Works; Shelly Calloway, resident and Cathy Freeberg, resident.

**Motion:** Council Member Ortler moved to appoint the following individuals to the Brian Head Tree Commission: Mayor Deutschlander, Betty Phelan, Tom Gurr, Shelly Calloway and Cathy Freeberg. Council Member Ames seconded the motion.

**Action:** **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Yes:** Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames. **Abstain:** Mayor Deutschlander).

Mayor Deutschland recommended May 28<sup>th</sup> for Arbor Day for Brian Head Town. Mayor Deutschlander explained that this would be on a Saturday, which would allow the out of state residents to participate in the celebration of planting trees in the pavilion area.

**Motion:** Council Member Ortler moved to approve May 28, 2011 as Arbor Day for Brian Head Town. Council Fausett seconded the motion.

**Action:** **Motion carried 4-0-1 (summary: Yes = 4, No = 0, Abstain = 1 Vote: Yes:** Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames. **Abstain:** Mayor Deutschlander).

**5. PUBLIC SAFETY BUILDING SURVEY DISCUSSION.** A discussion on a proposed public survey for the public safety building project.

Bryce Haderlie, Town Manager, explained that a survey has been drafted at the direction of Council in order to obtain the public's opinion on the public safety building (see attached). The Council reviewed the survey with the following comments and/or changes:

1. The deadline date for receiving the survey will be noon on April 25, 2011.
2. Concerns on whether there could be duplicate surveys submitted which would not give an accurate count.
3. Brian Head registered voters will receive the survey on a different type of paper in order to avoid any type of duplication.
4. The survey will be identified on the town's website for the public for informational purposes. The Council will also review those submitted from the website.
5. The survey mailed to the registered voters will be opened by the Council in an open meeting on April 26, 2011.
6. Council Member Ortler will work with staff on some "word smithing" for the survey, but it will not change the intent of the survey.
7. Discussion on the sources of revenue for the bond payments such as property tax increases, revenue from bonds that will be paid off in two years, or revenue from the General Fund in cutting expenditures.
8. Consensus of the Council: Question #1 will be removed from the survey since only registered voters will receive the survey.

9. Consensus of the Council: Question #2 will be changed to read “not to exceed 2.6 million dollars which may affect property taxes”.
10. Council requested Question #3 will be deleted from the survey.
11. Council Member Ortler stated that the Council is committed to keeping any type of tax increase to a minimum.
12. The survey will be mailed out this week in order to give the public time to review and submit the survey back to the town.

**6. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD AUTHORIZING THE MUNICIPAL BUILDING AUTHORITY OF THE TOWN OF BRIAN HEAD, UTAH TO ISSUE NOT MORE THAN \$2,700,000 IN LEASE REVENUE BONDS, SERIES 2011 FOR A PUBLIC SAFETY FACILITY AND RELATED MATTERS.** A proposed lease revenue bond resolution authorizing the Brian Head Municipal Building Authority to issue not more than \$2,700,000 for the public safety building.

Mayor Deutschlander explained the town has received a 2.5 million dollar loan at a 2.5% interest rate from the Community Impact Board (CIB) during a recent meeting with the CIB Board. The proposed resolution identifies an amount not to exceed 2.7 million dollar amount (see attached). Bryce explained that in speaking with the Town Attorney, who reported he was instructed by the CIB to show the 2.7 million dollars for the resolution. Even though the town would not receive more than \$2,553,000.00, which was the amount of the CIB loan. The Council expressed their concern of the resolution identifying 2.7 million dollars, if the town will only receive 2.6 million and how it would look to the public.

**Motion:** Council Member Ortler moved to adopt resolution No. 208, a resolution of the Town Council of the Town of Brian Head authorizing the Municipal Building Authority of the Town of Brian Head, Utah to issue not more than \$2,600,000 in lease revenue bonds, series 2011 for a public safety facility and related matters. Council Member Fausett seconded the motion.

**Action:** **Motion carried 5-0-0, roll call vote: (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

**7. REQUEST FOR PROPOSALS DISCUSSION AND APPROVAL FOR THE ARCHITECTS and/or DESIGN BUILD PROCESS TO BEGIN FOR THE PUBLIC SAFETY BUILDING.** An approval for the Request for Proposal to start the advertising for Architects for the Public Safety Building project.

Bryce Haderlie, Town Manager, explained he is looking for the Council's input on the request for proposals (RFP) for the public safety building project. Bryce explained that he would like to start the advertising process due to the noticing requirements and the short time frame if the Council is wants the project to start construction this year. Bryce requested direction from the Council on the type of project it would be; a design build or the traditional type in obtaining a contractor and others. The design build type of project would allow for a shorter noticing period and would allow the project to start construction earlier which could be beneficial to the town.

The Council held discussion on the following items:

1. Council Member Schwob expressed concerns regarding the short time period in which the Council has just approved a survey to be sent out to solicit input from the public on the project and staff is looking to proceed with the advertisement for the project, giving the public the impression that a decision has already been made.
2. There will be a mandatory time period in which the RFP needs to be advertised to the public and in starting this process, it could avoid any delays.
3. Council would like to keep the contract for the project with local companies in order to help the local economy vs. hiring companies outside the area and bringing their people down for the project.
4. A design build would consist of an Architect and a contractor working together on the project. They would then solicit bids from subcontractors. A committee would be formed consisting of Council Members, staff and others who will meet on a weekly basis with the Architects/contractor.
5. Staff will verify the timeframe for noticing requirements and report back to the Council.
6. If the town chose the traditional way for the project, the anticipated start date for construction could be the end of July, 2011, leaving a two month window for construction before the winter season begins.
7. Staff could refine the project drawings if the Council wishes to revise some of the building dimensions.
8. The existing metal portion of the fire station could be sold off and will be taken down instead of demolished.
9. Chet Hovey, Town Engineer, explained that he will be in Brian Head during the summer months to work with the Bearflat well house and could also assist staff with the public safety building project.
10. A selection criteria for the Architect and Contractor would need to be established prior to the RFP proceeding.

**Consensus of the Council:** Staff will draft a complete packet for a design build which will include all the information the Council is seeking and will present during a special Council meeting scheduled for March 29, 2011 at 1:00 p.m.

**Motion:** Council Member Ortler moved to table Agenda Item F-7, Request for Proposals for the Public Safety Building, until Tuesday, March 29, 2011 at 1:00 at a special meeting of the Town Council.. Council Member Fausett seconded the motion.

**Action:** **Motion carried 5-0-0, roll call vote: (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

**8. TOWN COUNCIL MEETING PROCEDURE POLICY DISCUSSION.** Discussion on a proposed policy for Town Council meetings.

Nancy Leigh, Town Clerk, presented the “first draft” of the Policies and Procedures for Town Council meetings, which she prepared based on Ordinances and Resolutions and other Town historical information (see attached). The Council held discussion on the following items:

1. Electronic Meetings: Council Member Ames inquired as to the reasoning behind the requirement of a quorum only for holding an electronic meeting. Discussion was held regarding concerns raised by Council Members pertaining to electronic meetings and the need to hold an electronic meeting if a quorum is not available, but that the public may have concerns when Council Members are not present for the meetings on a regular basis. Electronic means requires it be identified on the agenda notice prior to the meeting in order to be in compliance with state law. The Council made the following clarifications:
  - a. Only two reasons electronic meeting should be held: i) only if a quorum is not going to be present at the meeting. ii) In certain extenuating circumstances. It would be determined by the Mayor for consent for a Council Member to attend by electronic means.
2. Page 3, Meeting Procedure & Decorum: Delete the word “clapping”.
3. Page 4, Mayor Responsibilities #2 Add “at his/her discretion” after “The Mayor”.
4. Page 4, Council Member Responsibilities #5 “Delete the word “fine or”.
5. Page 4, Quorum #3: Add “three (3) affirmative votes for adopting resolutions, ordinances.
6. Page 4, Recusing: Change the word “chambers” to “seat”.
7. Page 5, Motions #4: Delete the word “do not” and change to “may not” and add “for action” at the end of the sentence.
8. Council Member Ortler commented that he feels the section on Disclaimers should be expanded. Nancy responded that in speaking with legal, his has given his opinion that according to state law, the Council must submit a written disclosure statement, to be filed with the Recorder, and an oral disclosure at the beginning of an agenda item in which there may be a potential conflict of interest. These requirements are for the benefit of the Council.

Council instructed staff to make the above mentioned changes to the policies and procedures and present to Council for adoption at a later date.

**9. SOCIAL MEDIA POLICY DISCUSSION.** A discussion on a proposed Social Media Policy for the Town of Brian Head.

Nancy Leigh, Town Clerk, presented the first draft of a Social Media Policy for the Council review and discussion. The Council held discussion on the following for changes to the policy:

1. Page 3, Section 2.0 Definitions: Malware: Last sentence, strike the following: Seattle policies and standards, including, but not limited to.
2. Page 4, Section 3.0 Policy #5: Add the word “videos” after “Music”.
3. Page 4, Section 3.0 Policy # 18, 19, 20. Strike the word “Excessive”.

Nancy explained that once the policy is adopted, staff will train the Council and staff on the policy, which could also be addressed during the open meeting training in order to train all the public bodies.

Council directed staff to make the above mentioned corrections and present to Council for adoption at a later date.

**10. ECONOMIC DEVELOPMENT PLAN DISCUSSION.** A discussion on a proposed Economic Development Plan for the Town of Brian Head.

Bryce Haderlie, Town Manager, presented a draft Economic Development Plan for Brian Head Town (See attached).

Bryce explained the policy is one of the 2011 town goals and has pulled language and information from the town’s General Plan. The Council reviewed the proposed plan and held discussion on the following:

1. Page 11, Shared Events should also include neighboring communities such as Panguitch, Parowan along with Duck Creek.
2. Strengths: Include “nearby hunting and fishing opportunities”.
3. Discussion on whether Eagle Point Ski Resort would be identified as a threat to Brian Head. Consensus of the Council was to identify Eagle Point as a competing recreational opportunity instead of using the word “threat”.
4. Council Member Fausett inquired if the plan should identify the high cost of operating a business in Brian Head.
5. Council Member Ortler suggested the plan identify specific things to improve commerce in the plan.
6. Bryce inquired if the Council would like to construct a plan in order to determine the most critical items to be identified in the plan.
7. Council recommended the Planning Commission and the Chamber of Commerce review the document and submit their input on the plan.

Council directed staff to work with the Chamber of Commerce and Planning Commission on their input on the plan and present to Council at a later date.

Mayor Deutschlander recessed the Council meeting at 4:30 p.m. for a five minute recess and to call the Municipal Building Authority meeting to order.

**G. CLOSED SESSION OF THE TOWN COUNCIL** – To discuss the character, professional competence, or physical or mental health of an individual

**Motion:** Council Member Ortler moved to table the closed session of the Town Council for the purpose of discussing the character, professional competence, or physical or mental health of an individual until the March 29, 2011 Town Council Special meeting. Council Member Schwob seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

**H. ADJOURNMENT**

**Motion:** Council Member Ortler moved to adjourn the regular meeting of the Brian Head Town Council for March 22, 2011. Council Member Schwob seconded the motion.

**Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Mayor Deutschlander, Council Member Fausett, Council Member Schwob, Council Member Ortler, Council Member Ames).

The regular meeting of the Brian Head Town Council was adjourned at 4:43 p.m. for March 22, 2011.

April 26, 2011

Date Approved

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Nancy Leigh, Town Clerk/Recorder